

SB2987



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2987

Introduced 2/3/2010, by Sen. John J. Millner

SYNOPSIS AS INTRODUCED:

720 ILCS 5/14-6

from Ch. 38, par. 14-6

Amends the Criminal Code of 1961. Provides that parties to an electronic communication intercepted contrary to the Eavesdropping Article of the Code are entitled to the civil remedies prescribed in that Article.

LRB096 14815 RLC 29678 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Section 14-6 as follows:

6 (720 ILCS 5/14-6) (from Ch. 38, par. 14-6)

7 Sec. 14-6. Civil remedies to injured parties. (1) Any or
8 all parties to any conversation or electronic communication
9 upon which eavesdropping is practiced contrary to this Article
10 shall be entitled to the following remedies:

11 (a) To an injunction by the circuit court prohibiting
12 further eavesdropping by the eavesdropper and by or on behalf
13 of his principal, or either;

14 (b) To all actual damages against the eavesdropper or his
15 principal or both;

16 (c) To any punitive damages which may be awarded by the
17 court or by a jury;

18 (d) To all actual damages against any landlord, owner or
19 building operator, or any common carrier by wire who aids,
20 abets, or knowingly permits the eavesdropping concerned;

21 (e) To any punitive damages which may be awarded by the
22 court or by a jury against any landlord, owner or building
23 operator, or common carrier by wire who aids, abets, or

1 knowingly permits the eavesdropping concerned.

2 (2) No cause of action shall lie in any court against any
3 common carrier by wire or its officers, agents or employees for
4 providing information, assistance or facilities in accordance
5 with the terms of a court order entered under Article 108A of
6 the Code of Criminal Procedure of 1963.

7 (Source: P.A. 85-868.)